

Species Election

Responsive to the requirement for an election of species for searching purposes, Applicants hereby elect phosphodiesterase inhibitor as the augmenting agent species and stroke as the disorder species. Claims readable on the elected species are Claims 1, 3-8, 11, 14-20, 23, 49-58, 60-64 and 94-106. The requirement is being traversed for the reasons set forth below.

The Examiner states that the "requirement to provisionally elect a single independent and patently distinct species is made as provided for in MPEP 803.02" (underlining added). However, MPEP 803.02 is entitled "Restriction-Markush Claims: Practice Re Markush-Type Claims". Claims 35, 43, 51, 59 and 67 are the only Markush-type claims presented in the application as filed. Thus, reference to MPEP 803.02 is not understood and is believed to be incorrect.

In addition, Applicants submit that it would not place an undue burden upon the Examiner to search a class of augmenting agents and disorders. A search of the prior art for one member of a class of augmenting agents and disorders would also identify prior art that is applicable to the other members of the class. Accordingly, reconsideration of the requirement is respectfully requested.

Respectfully submitted,

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